

AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows. The claims are in the format as required by 35 C.F.R. § 1.121.

1. (Currently amended) A method of determining a price for a commodity on a spot market, comprising:
  - generating a forecast market state condition for a next period using historical data which includes transactional data and non-transactional data;
  - clustering data from a database into clusters based on market conditions or clustering index;
  - identifying which cluster ~~corresponds to~~ most closely matches the forecast market state condition; and
  - generating a price-demand curve using the data from the identified cluster.
2. (Currently amended) The method of claim 1, wherein the forecast market state condition comprises ~~an attribute comprising~~ at least one of a maximum price for the commodity, a minimum price for the commodity, a forecast price for the commodity during the next period, ~~the~~ a company's price rank, or the nearest higher price for the commodity.
3. (Original) The method of claim 1, wherein clustering data comprises:
  - generating a clustering index to the forecast market state condition; and
  - assigning the forecast market state condition to the cluster based on its clustering index.
4. (Original) The method of claim 1, wherein generating is performed without using data from any other cluster.
5. (Original) The method of claim 1, wherein the data from the database comprises transactional data comprising price and quantities sold.
6. (Original) The method of claim 1, further comprising determining the price for the next period using the price-demand curve.

7. (Original) The method of claim 6, wherein determining the price comprises determining the price consistent with maximizing profit, volume, or revenue.
8. (Original) The method of claim 1, wherein the commodity is a product.
9. (Original) The method of claim 1, wherein the commodity is a service.
10. (Currently amended) A data processing system readable medium having code embodied therein, the code comprising:
  - an instruction for generating a forecast market state condition using historical data which includes transactional data and non-transactional data;
  - an instruction for clustering data from a database into clusters based on market conditions or clustering index;
  - an instruction for identifying which cluster ~~corresponds to~~ most closely matches the forecast market state condition; and
  - an instruction for generating a price-demand curve using the data from the identified cluster.
11. (Currently amended) The data processing system readable medium of claim 10, wherein the forecast market state condition comprises ~~an attribute comprising~~ at least one of a maximum price for the commodity, a minimum price for the commodity, a forecast price for the commodity during the next period, ~~the~~ a company's price rank, or the nearest higher price for the commodity.
12. (Original) The data processing system readable medium of claim 10, wherein the instruction for clustering data comprises:
  - an instruction for generating a clustering index to the forecast market state condition;
  - and
  - an instruction for assigning the forecast market state condition to the cluster based on its clustering index.

13. (Original) The data processing system readable medium of claim 10, wherein the instruction for generating is executed without using data from any other cluster.
14. (Original) The data processing system readable medium of claim 10, wherein the data from the database comprises transactional data comprising price and quantities sold.
15. (Original) The data processing system readable medium of claim 10, wherein the code further comprises an instruction for determining a price for the next period using the price-demand curve.
16. (Original) The data processing system readable medium of claim 15, wherein the instruction for determining the price comprises an instruction for determining the price consistent with maximizing profit, volume, or revenue.
17. (Original) The data processing system readable medium of claim 10, wherein the commodity is a product.
18. (Original) The data processing system readable medium of claim 10, wherein the commodity is a service.
19. (Currently amended) A system for determining a price for a commodity comprising:
  - a database comprising historical data for the commodity, wherein the historical data includes transactional data and non-transactional data;
  - a market state generation module that is adapted to generate a forecast market state condition for a next period using the historical data;
  - a clustering module that is adapted to generate clusters including a specific cluster having that most closely matches the forecast market state condition; and
  - a demand curve generation module that is adapted to generate a price-demand curve in response to receiving data from the particular specific cluster from the clustering module.
20. (Original) The system of claim 19, further comprising a price determination module that is adapted to use a demand curve from the demand curve generation module and a business rule to determine the price for the commodity for a next period.

21. (Original) The system of claim 19, wherein:
- the forecast market state condition comprises a prediction of the price for the next period; and
  - the specific cluster used by the demand curve generation module comprises the prediction of the price.